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February 9, 2004

TO: Examiner Priebe (TC1600)

GROUP: 1632

FAX NUMBER: 703-872-9307

ATTORNEY DOCKET NO.: BERN-0045

SERIAL NO.: 09/913,472

FILED: January 28, 2002

NUMBER OF PAGES: 16

MESSAGE: Attached please find Amendment Transmittal Letter; Reply under 37 C.F.R. 1.116 mailed November 7, 2003; Authorization to charge deposit account #50-1619 in the amount of \$39.00 for additional independent claim filing fee; and Certificate of Transmission by Facsimile.

Kathleen A. Tyrrell, Registration No. 38,350

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Eric F. Bernstein

Docket No.

BERN-0045

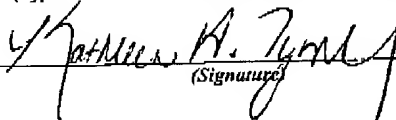
Serial No.
09/913,472Filing Date
January 28, 2002Examiner
Priebe, Scott DavidGroup Art Unit
1632

Invention: System and Method for Evaluating Agents Which Prevent Oxidative Damage

I hereby certify that this Reply under 37 CFR 1.116
(Identify type of correspondence)
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872-9307)
on February 9, 2004
(Date)

Kathleen A. Tyrrell

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AMENDMENT TRANSMITTAL LETTER (Small Entity)			Docket No. BERN-0045		
Applicant(s): Eric F. Bernstein					
Serial No. 09/913,472	Filing Date January 28, 2002	Examiner Priebe, Scott David	Group Art Unit 1632		
Invention: System and Method for Evaluating Agents Which Prevent Oxidative Damage					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
<input checked="" type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.					
<input type="checkbox"/> A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	4	20	0 x	\$9.00	\$0.00
INDEP. CLAIMS	4	3	1 x	\$39.00	\$39.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$39.00
 <input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 50-1619 in the amount of \$39.00 <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1619 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
Kathleen A. Tyrrell, Reg. No. 38,350 Licata & Tyrrell P.C. 66 E. Main Street Marlton, NJ 08053 Tel: 856-810-1515 Fax: 856-810-1454			Dated: February 9, 2004 <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">I certify that this document and fee is being deposited on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Signature of Person Mailing Correspondence</div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Typed or Printed Name of Person Mailing Correspondence</div>		
CC:					

AMENDMENT TRANSMITTAL LETTER (Small Entity)			Docket No. BERN-0045		
Applicant(s): Eric F. Bernstein					
Serial No. 09/913,472	Filing Date January 28, 2002	Examiner Priebe, Scott David	Group Art Unit 1632		
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INDEP. CLAIMS	4 -	3 =	1 x	\$39.00	\$39.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
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<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.					
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
_____ <i>Kathleen A. Tyrrell</i> Kathleen A. Tyrrell, Reg. No. 38,350			Dated: February 9, 2004		
Licata & Tyrrell P.C. 66 E. Main Street Marlton, NJ 08053 Tel: 856-810-1515 Fax: 856-810-1454			<div style="border: 1px solid black; padding: 5px;"><p>I certify that this document and fee is being deposited on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p><p style="text-align: center;">_____ Signature of Person Mailing Correspondence</p><p style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</p></div>		
cc:					

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RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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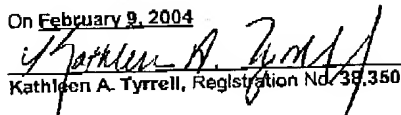
FEB 09 2004

Attorney Docket No.: BERN-0045
Inventors: Eric F. Bernstein
Serial No.: 09/913,472
Filing Date: January 28, 2002
Examiner: Priebe, Scott David
Group Art Unit: 1632
Title: System and Method for Evaluating Agents
which Prevent Oxidative Damage

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the date shown below.

On February 9, 2004


Kathleen A. Tyrrell, Registration No. 39,350

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Reply under 37 C.F.R. 1.116

This is a reply to the Final Rejection mailed November 7,
2003 setting a three (3) month statutory period for response.
Please enter the following amendments and remarks into the
record.